

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2004/000563

A. CLASSIFICATION OF SUBJECT MATTER

Int. CL⁷: A61M 16/06

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
DWPI - IPC A61M, A62B & Keywords (mask, interfao, retain, secur, ring, clip,, elbow, bend, flange, border, channel, recess, cushion, pad) and like terms

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 1057494 A2 (SLEEPNET CORP) 6 December 2000 Whole document	
A	EP 1027905 A2 (RESMED LTD) 16 August 2000 Whole document	
A	WO 200245784 A1 (RESMED LTD) 13 June 2002 Whole document	
A	WO 200021600 A1 (TAEMA) 20 April 2000 Whole document	

Further documents are listed in the continuation of Box C

See patent family annex

* Special categories of cited documents:		
"A"	document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E"	earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O"	document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P"	document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search
31 May 2004

Date of mailing of the international search report 23 JUL 2004

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6467483 B1 (KOPACKO et al)) 22 October 2002 Whole document	

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Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

Claims 1, 2, 50, and 51 are directed to a mask system comprising headgear, a shell/cushion including a channel adjacent a front aperture, a frame, an elbow including at least one undercut on a proximal end having the first special technical feature of a retaining ring including a rear flange adapted to be retainably insertable in the channel of the shell/cushion and a front flange adaptable to retainably engage with the at least one undercut of the elbow.

Continued in supplemental box

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:1, 2, 50, 51

Remark on Protest

- The additional search fees were accompanied by the applicant's protest
 No protest accompanied the payment of additional search fees.

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Supplemental Box

(To be used when the space in any of Boxes I to VIII is not sufficient)

Continuation of Box No: III

Claims 3 to 5 are directed to a mask system headgear, a frame, and shell/cushion including a frame receiving channel defined by a front flange and a rear flange the front flange extending 75%-100% of the way around the perimeter of the shell/cushion having the second special technical feature that the frame is adapted to be removably insertable in the frame - receiving channel of the shell/cushion.

Claims 6-28 are directed to a connection piece for connecting a mask to a conduit.

Claims 29-47 are directed to a mask or mask system , the mask having a shell/cushion with an inner and outer surface, a flange extending away from said outer surface and surrounding said shell/cushion, said mask having an exoskeletal frame which substantially matches the contours of said flange so that said frame can be positioned adjacent said flange when said shell/cushion is in a shape suitable for use by a patient and structure or means to hold said flange to said frame.

Claims 48, 49,52 and 53 are directed to a mask system and include the connection piece of any one of claims 6 to 28 in their scope.

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Information on patent family members

International application No.

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
EP	1057494	AU	51653/00	CA	2310919	CA	2375928
		EP	1189650	US	6631718	WO	0074758
EP	1027905	AU	12454/97	AU	14892/00	AU	16355/00
		AU	16811/02	AU	26505/00	AU	34293/97
		AU	42476/99	AU	49012/00	AU	52005/00
		AU	52007/00	AU	52691/00	AU	61522/01
		CA	2261790	CA	2298129	EP	0956069
		EP	1187647	EP	1187648	EP	1187649
		EP	1187650	JP	2000279520	JP	2004041779
		NZ	513052	NZ	526165	US	6112746
		US	6357441	US	6374826	US	6412487
		US	6428231	US	6439230	US	6491034
		US	6532961	US	6561710	US	6585441
		US	6691707	US	2002005198	US	2002005200
		US	2002023649	US	2002023650	US	2002029781
		US	2002074001	US	2002083948	US	2002096176
		US	2002104540	US	2002108613	US	2002153012
		US	2002157672	US	2002174867	US	2002174868
		US	2003034034	US	2004025881	US	2004086319
		US	2004094159	US	2004099272	WO	0078381
		WO	0078382	WO	0078383	WO	0078384
		WO	0134406	WO	0184979	WO	9804310
WO	0245784	AU	20362/02	EP	1345644	US	2004065328
WO	0021600	AU	60950/99	EP	1121172	FR	2784298
US	6467483	US	2003019496				

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX